

C-13-11a
(Rev. 11/09)

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In Re:)
Melvin Parrish) SS# xxx-xx-8786)
1301 Parrish Road))
Chapel Hill, NC 27516))
) Case No. B-13-81609 C13D
))
Debtor(s))

NOTICE OF PROPOSED PLAN AND ORDER CONFIRMING PLAN
AND TIME FOR FILING OBJECTION THERETO

1. A summary of the plan proposed by the Debtor(s) is set forth in the attached copy of a proposed Order Confirming Plan in this case.

2. The plan will be confirmed after the time period for filing objections has expired unless a timely objection is filed. There will be no hearing on confirmation unless a timely objection is filed.

3. Written, detailed objections must be filed within 28 days of the date of this notice with the Clerk of Court, U.S. Bankruptcy Court, Post Office Box 26100, Greensboro, NC, 27420-6100. With copies served on (1) Richard M. Hutson II, Post Office Box 3613, Durham, NC; (2) the attorney for the Debtor(s); and (3) the Debtor(s). If the objecting party is a corporation, the objection must be filed by legal counsel admitted to practice in this District.

4. In the event a timely objection is filed, a hearing on the objection to confirmation and on confirmation of the proposed plan will be held on May 8, 2014, at 11:00 a.m. in Courtroom, Venable Center, Dibrell Building, 280, 302 East Pettigrew Street, Durham, NC. The party objecting must appear at this hearing.

5. If an objection is filed, the party objecting, the Debtor(s) and the attorney for the Debtor(s) are required to appear at the hearing on confirmation.

6. There will be no further mailing of the Order Confirming Plan to affected parties unless there is a change in the attached proposed Order Confirming Plan.

DATE: March 19, 2014

Office of the Clerk
Reid Wilcox, Clerk

C-13-7a
(Rev. 01/12)

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

| | | |
|-----------------------|-----------------|--------------------------|
| In Re: |) | ORDER CONFIRMING PLAN |
| Melvin Parrish | SS# xxx-xx-8786 |) CHAPTER 13 |
| 1301 Parrish Road |) | |
| Chapel Hill, NC 27516 |) | |
| |) | Case No. B-13-81609 C13D |
| |) | |
| Debtor(s) |) | |

This case came before the Court, after notice and opportunity for hearing, for confirmation of the Chapter 13 plan proposed in this case; and IT APPEARING to the Court as follows:

I. The Trustee in this case is Richard M. Hutson II, Standing Trustee, Post Office Box 3613, Durham, North Carolina 27702;

II. The attorney for the Debtor(s) is John T. Orcutt;

III. Under the final plan (the "Plan") as proposed:

A. Plan Payments

1. The Debtor(s) is/are to make monthly payments to the Trustee which are to be disbursed by the Trustee in accordance with the Plan and this Order;
2. The monthly plan payment to the Trustee is \$2,792.00 beginning 1/31/2014;

B. Administrative Costs

1. **Attorney Fees.** The Attorney for the Debtor(s) is allowed the base fee of \$3,700.00. The Attorney has received \$3,700.00 from the Debtor(s) pre-petition and the remainder of the base fee will be paid by the Trustee as funds are available.
2. **Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses.

C. Priority Claims

Any timely filed claims entitled to priority under 11 U.S.C. §507, on behalf of the entities listed below, will be paid in full in deferred cash payments unless otherwise indicated.

1. **Internal Revenue Service - See Section F**
2. **North Carolina Department of Revenue**
3. **Orange County Tax Collector - 2013 vehicle taxes - \$27.82**

ltp

D. Secured Claims**1. Long-term Debts - To be paid directly by Debtor(s).**

| Creditor & Property | Claim Filed (Y/N) | Regular Payment |
|--|-------------------|--|
| SLS / Ocwen 9314 Bethel Hickory Grove Church Road Chapel Hill, NC | N | To be paid direct to said creditor by the Debtors' daughter, Alayna Parrish Edwards. |
| Orange County Tax Collector 9314 Bethel Hickory Grove Church Road Chapel Hill, NC | N | To be paid direct to said creditor by the Debtors' daughter, Alayna Parrish Edwards. |

2. Long-term Debts - To be paid by Trustee.

| Creditor & Property | Claim Filed (Y/N) | Monthly Payment | Monthly Payment to Begin | Arrears Through | Arrears Amount | Monthly Payment on arrears |
|---|-------------------|----------------------------------|--------------------------|-----------------|----------------|----------------------------|
| SLS / Ocwen 1301 Parrish Road Chapel Hill, NC | N | \$1,884.00 Est. Per debtor(s) | 05/14 | 04/14 | unknown | To be determined |

3. Secured Claims To Be Paid In Full - Real Property

| Creditor & Property | Claim Filed (Y/N) | Amount of claim | Monthly Payment | Interest Rate |
|---|-------------------|--|-----------------|---------------|
| Orange County Tax Collector 7103 Old Greensboro Chapel Hill, NC And 935 Ferguson Road Chapel Hill, NC | Y | \$3,601.08 | \$74.75 | 9% |
| Orange County Tax Collector 1301 Parrish Road Chapel Hill, NC | N | Per the Debtor(s) the debt due Orange County Tax Collector for real property taxes are to be paid through the debtor's(s') escrow account maintained by mortgage holder. | | |

E. General Unsecured Claims Not Separately Classified.

General unsecured claims not separately classified will be paid as funds become available after payment of costs of administration. The estimated dividend to general unsecured claims is 100% plus interest at the federal rate of .13% from the petition date of December 23, 2013 until entry of the confirmation order and thereafter at the rate of 5.25% interest per annum.

F. Special Provisions**INTERNAL REVENUE SERVICE ("IRS")**

The IRS has filed a claim in the amounts of \$172,633.15 secured; \$13,926.75 priority and \$40,959.96 general unsecured. The IRS has amended its priority claim to the amount of \$15,584.51 and its general unsecured claim to \$5,863.01. The liquidated value of the Debtor's property before exemptions is \$513,000.00. The claim of the IRS is allowed as \$172,633.15 secured with interest at 3% per annum; \$15,584.51 priority payable pro rata monthly with allowed priority claims; and \$5,863.01 general unsecured, without prejudice to any subsequent objection by the Debtor(s).

- G. The Debtor will pay **THE GREATER OF** (i) a minimum of 36 monthly plan payments, OR (ii) the amount necessary to pay all allowed secured claims as scheduled for payment through disbursements by the Trustee, and priority and general unsecured claims to receive 100% plus interest at the federal rate of .13% from the petition date of December 23, 2013 until entry of the confirmation order and thereafter at the rate of 5.25% interest per annum due to the liquidation value of the estate, with the plan to be reviewed in 6 months and periodically thereafter for plan payment adjustments;
- H. The terms and provisions of the Standing Order dated February 24, 2012, are incorporated in this Order and are available on the Court's website at www.ncmb.uscourts.gov.
- I. **IT FURTHER APPEARING** to the Court that the Plan complies with the requirements of 11 U.S.C. §1325; therefore, it is

ORDERED that the Plan is confirmed.

END OF DOCUMENT